

## REMARKS

This application has been carefully reviewed in light of the Office Action dated October 26, 2007. Claims 1 to 16 are pending in the application, of which Claims 1, 5, 9, 11 and newly-added Claims 13 to 16 are independent. Reconsideration and further examination are respectfully requested.

Initially, Applicant thanks the Examiner for the indication that Claims 2, 6, 10 and 12 contain allowable subject matter and would be allowed if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In accordance with the indication of allowable subject matter, Applicant has added independent Claims 15 and 16 which correspond to original Claims 2 and 6, respectively, as if Claims 2 and 6 were rewritten in independent form including all of the limitations of any intervening claims. Accordingly, Applicant submits that Claims 15 and 16 are in condition for allowance and respectfully requests same.

Claims 1, 3 to 5, 7 to 9 and 11 have been rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6,473,197 (Shimazaki). Reconsideration and withdrawal of this rejection are respectfully requested.

### Claims 1, 10 and 13.

Turning to specific claim language, amended independent Claim 1 is directed to an image forming apparatus, connected to a host device over a network, for creating image data based on PDL data received from a host device and forming said image based on said image data. The apparatus includes rasterization means for generating image data from PDL data received over the network; storage means for storing image data corresponding to the image data generated by the rasterization means; calibration means for executing a calibration process for

setting particular image output characteristics for the said image forming apparatus; and control means for determining whether or not a calibration process is being executed on the condition that the image data is stored in the storage means and, if the control means determines that a calibration process is being executed, the control means puts the image forming apparatus in a standby state for forming the image and, after execution of the calibration process is completed, the control means allows forming of the image to start based on the image forming data stored in the storage means.

Applicant submits that Claim 1 as now amended is substantially in accordance with the Examiner's indication of allowable subject matter in original Claim 2. That is, Claim 1 now includes a rasterization means for generating image data from PDL data received over said network; a storage means for storing image data corresponding to the image data generated by said rasterization means; and a control means for determining whether or not a calibration process is being executed on the condition that the image data is stored in said storage means and, if said control means determines that a calibration process is being executed, said control means puts said image forming apparatus in a standby state for forming the image and, after execution of said calibration process is completed, said control means allows forming of the image to start based on the image forming data stored in the storage means.

In contrast, Shimizu discloses that character data and line drawing data are interpreted by the interpreter from the original image data, and are output as described at column 8, lines 32 to 37. Also Shimizu discloses that the test chart data which has been read is corrected by using printer-condition correction data which has been read in, and that through this correction, the Y, M, C, K data of the test chart data prior to correction are corrected as disclosed at column 12, line 60 to column 13, line 15.

However, Shimizu does not disclose a control means that has a discrimination means for determining whether or not a calibration process is being executed on the condition that the image forming data is stored in said storage means and, if said discrimination means determines that a calibration process is being executed, said control means puts said image forming apparatus in a standby state for forming the image and, after the execution of said calibration process is completed, said control means allows to start forming the image based on the image forming data stored in the storage means as featured in Claim 1.

In light of the deficiencies of Shimizu as discussed above, Applicant submits that amended independent Claim 1 is now in condition for allowance and respectfully requests same.

Amended independent Claims 10 and 13 are directed to a method and a computer-readable medium, respectively, substantially in accordance with the apparatus of Claim 1. Accordingly, Applicant submits that Claims 10 and 13 are also now in condition for allowance and respectfully requests same.

Claims 5, 11 and 14.

Claim 5 is directed to an image forming apparatus, connected to a host device over a network, for creating image data based on fax-received data received from a host device and forming said image based on said image data, comprising interpretation means for interpreting fax-received data received over the network; storage means for storing image data corresponding to the image data interpreted by said interpretation means; calibration means for executing a calibration process for setting particular image output characteristics for said image forming apparatus; and control means for determining whether or not a calibration process is being executed on the condition that the image data is stored in said storage means and, if said

control means determines that a calibration process is being executed, said control means puts said image forming apparatus in a standby state for forming the image and, after execution of said calibration process is completed, said control means allows forming of the image to start based on the image forming data stored in the storage means.

Applicant submits that Claim 5 as now amended is substantially in accordance with the Examiner's indication of allowable subject matter in original Claim 6. That is, Claim 5 now includes an interpretation means for interpreting fax-received data received over the network; a storage means for storing image data corresponding to the image data interpreted by said interpretation means; and a control means for determining whether or not a calibration process is being executed on the condition that the image data is stored in said storage means and, if said control means determines that a calibration process is being executed, said control means puts said image forming apparatus in a standby state for forming the image and, after execution of said calibration process is completed, said control means allows forming of the image to start based on the image forming data stored in the storage means.

In contrast, and as discussed above in regard to Claim 1, Shimizu discloses that character data and line drawing data are interpreted by the interpreter from the original image data. Shimizu also discloses that the test chart data which has been read is corrected by using printer-condition correction data which has been read in, and that through this correction, the Y, M, C, K data of the test chart data prior to correction are corrected.

However, Shimizu does not disclose or suggest a control means for determining whether or not a calibration process is being executed on the condition that the image data is stored in said storage means and, if said control means determines that a calibration process is being executed, said control means puts said image forming apparatus in a standby state for

forming the image and, after execution of said calibration process is completed, said control means allows forming of the image to start based on the image forming data stored in the storage means as featured in Claim 5.

In light of the deficiencies of Shimizu as discussed above, Applicant submits that amended independent Claim 5 is now in condition for allowance and respectfully requests same.

Amended independent Claims 11 and 14 are directed to a method and a computer-readable medium, respectively, substantially in accordance with the apparatus of Claim 5. Accordingly, Applicant submits that Claims 11 and 14 are also now in condition for allowance and respectfully requests same.

The other pending claims in this application are each dependent from the independent claims discussed above and are therefore believed patentable for the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

## CONCLUSION

Finally, the previous claim count totaled 16, including 4 multiple dependencies, with 4 independent claims. The present amendment adds 4 independent claims and cancels the 4 multiple dependencies, leaving the total claim count at 16, but with 8 independent claims. Therefore, the fee difference between the previous claim count and the current claim count is 4 additional independent claims. Accordingly, the Director is hereby authorized to charge \$840.00 for additional claims or any deficiency therein, or to credit any overpayment, to Deposit Account 50-3939.

Applicant's undersigned attorney may be reached in our Costa Mesa, CA office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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